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SEC

SERVICE DATE – AUGUST 24, 2006

SURFACE TRANSPORTATION BOARD

DECISION

STB Finance Docket No. 34892

STATE OF WASHINGTON v. PALOUSE RIVER AND COULEE CITY RAILROAD, INC

Decided: August 23, 2006

On June 26, 2006, the State of Washington filed a complaint alleging that the Palouse River and Coulee City Railroad, Inc. (PCC) violated its common carrier obligation under 49 U.S.C. 11101 and discontinued operations between Cheney, WA, and Coulee City, WA, without authorization under 49 U.S.C. 10903 and 49 CFR 1152. PCC filed an answer to the complaint on July 14, 2006.

In a letter dated August 1, 2006, counsel for the State of Washington and PCC indicated that, pursuant to 49 CFR 1111.10(a), the parties had conferred by telephone, and proposed a procedural schedule to govern this proceeding. The Board adopted that schedule by decision served August 8, 2006.

By letter filed August 22, 2006, the State of Washington has now requested voluntary dismissal, without prejudice, of its complaint, in light of the resumption of rail service. The request will be granted.

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. The State of Washington's request to dismiss its complaint without prejudice is granted.
2. This proceeding is terminated.
3. This decision is effective on the date of service.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams  
Secretary